

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
SOUTHERN DIVISION**

TINA McCracken,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 12-3527-SSA-CV-S-MJW
	)	
CAROLYN W. COLVIN,	)	
Acting Commissioner,	)	
Social Security Administration,	)	
	)	
Defendant.	)	

**ORDER**

Before the Court is the Commissioner's motion of August 6, 2013, requesting the Court to enter a final judgment, pursuant to Rule 58 of the Federal Rules of Civil Procedure, reversing the decision of the Administrative Law Judge (ALJ) and remanding this case to the Commissioner under sentence four of 42 U.S.C. § 405(g). The Commissioner states that, upon remand, the ALJ will be directed to give further consideration to plaintiff's residual functional capacity (RFC) without relying upon the RFC assessment completed by a single decision-maker, a nonmedical source. The Commissioner further states the ALJ should then propound all of plaintiff's limitations in a hypothetical question to the vocational expert and issue a new decision. Plaintiff has filed a consent to the request for a remand.

After consideration of the record, the Court finds that a remand, pursuant to sentence four, is warranted. Remand will expedite administrative review and allow the Commissioner to properly consider the claim. Accordingly, it is

ORDERED that the decision of the ALJ is reversed, and this case is remanded to the Commissioner under sentence four of 42 U.S.C. § 405(g) for a proper consideration of plaintiff's claim, and that a final judgment be entered, pursuant to Rule 58. [13]

Dated this 14<sup>th</sup> day of August, 2013, at Jefferson City, Missouri.

/s/ *Matt J. Whitworth*

MATT J. WHITWORTH  
United States Magistrate Judge